

JJD:JLG
F. #2019R01711

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

☆ JAN 22 2020 ☆
LONG ISLAND OFFICE

UNITED STATES OF AMERICA

INDICTMENT

- against -

CR 20 029
(T. 18, U.S.C., §§ 2251(a), 2251(e),
2253(a), 2253(b), 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p)) **AZRACH, v.**

JONATHAN BERRETTA,

Defendant.

LINDSAY, M.J.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Sexually Exploit a Child)

1. In or about and between January 2018 and December 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant JONATHAN BERRETTA, together with others, did knowingly and intentionally conspire to employ, use, persuade, induce, entice and coerce a minor, to wit: Jane Doe, a minor individual whose identity is known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing one or more visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transported and transmitted using one or more means and facilities of interstate and foreign commerce and in and affecting interstate and foreign commerce, which visual depictions were produced and transmitted using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, by one or more means, to wit: one or more mobile Internet devices, computers and smartphones, and such visual depictions were actually transported

and transmitted using one or more means and facilities of interstate and foreign commerce and in and affecting foreign commerce, contrary to Title 18, United States Code, Section 2251(a).

(Title 18, United States Code, Sections 2251(e) and 3551 et seq.)

COUNT TWO
(Sexual Exploitation of a Child)

2. On or about July 21, 2019, within the Eastern District of New York, the defendant JONATHAN BERRETTA, together with others, did knowingly and intentionally employ, use, persuade, induce, entice and coerce a minor, to wit: Jane Doe, to engage in sexually explicit conduct for the purpose of producing one or more visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transported and transmitted using one or more means and facilities of interstate and foreign commerce and in and affecting interstate and foreign commerce, which visual depictions were produced and transmitted using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by one or more means, to wit: one or more mobile Internet devices, computers and smartphones, and such visual depictions were actually transported and transmitted using one or more means and facilities of interstate and foreign commerce and in and affecting interstate and foreign commerce.

(Title 18, United States Code, Sections 2251(a), 2251(e), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253(a), which requires the forfeiture

of (a) any visual depiction described in Sections 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting, or traceable to, gross profits or other proceeds obtained from such offenses; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including but not limited to: (i) one iPad Pro, Model #A1670; and (ii) one iPhone 6 Plus, Model #A1634, both seized from the defendant on or about December 24, 2019.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

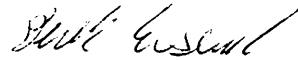
divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any

other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

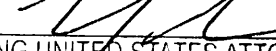
(Title 18, United States Code, Sections 2253(a) and 2253(b); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON

RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. O.136

F. # 2019R01711
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

JONATHAN BERRETTA,

Defendant.

INDICTMENT

(T. 18, U.S.C., §§ 2251(a), 2251(e), 2253(a), 2253(b), 2 and
3551 et seq.; T. 21, U.S.C., § 853(p))

A true bill.

Robert L. Geraci
Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Justina L. Geraci, Assistant U.S. Attorney (631) 715-7835